

December 10, 2021

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

ATTN: Patrick Webre, Chief, Consumer and Governmental Affairs Bureau

RE: Application of Ariel GP Holdco, LLC and Sorenson Communications, LLC for Conditional Certification to Provide Video Relay Service and Request for Confidential Treatment; CG Docket Nos. 03-123 and 10-51

Dear Ms. Dortch:

Ariel GP Holdco, LLC (“Ariel”) and Sorenson Communications, LLC (“Sorenson”) (Ariel and Sorenson collectively, “Applicants”) are applying for conditional certification to allow Sorenson, as majority-owned and controlled by Ariel, to continue to provide Video Relay Service (“VRS”) that is eligible for compensation from the Interstate Telecommunications Relay Service Fund (“TRS Fund”). This conditional certification would allow Sorenson to remain eligible to receive compensation from the TRS Fund for providing VRS on an interim basis pending the filing of, and Commission action on, an application for full certification that will be filed after Ariel’s proposed acquisition of Sorenson is consummated. Copies of the application for conditional certification (“Application”) are attached in confidential and redacted forms. The redacted version of the Application has been electronically filed in the above-referenced Commission docket.

Pursuant to Section 0.459 of the Commission’s rules, 47 C.F.R. § 0.459, the Applicants request confidential treatment for the company-specific, highly sensitive and proprietary commercial information provided in the Application and ask that such information be withheld from public inspection. The information subject to this request is highly sensitive commercial information that falls within Exemption 4 of the Freedom of Information Act and has been redacted from the version of the Application filed electronically with the Commission.

In support of this request and pursuant to Section 0.459(b) of the Commission’s rules, the Applicants state as follows:

1. Identification of the specific information for which confidential treatment is sought.

The Applicants request confidential treatment of the confidential information that has been redacted from the version of the Application filed electronically with the Commission.

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2. Identification of the circumstance giving rise to the submission.

The Applicants are providing confidential information about the proposed transaction described above, as well as confidential and proprietary information about Sorenson.

3. Explanation of the degree to which the information is commercial or financial or contains a trade secret or is privileged.

The confidential information contains highly sensitive commercial information about the proposed transaction and the operational, functional, and technological capabilities of Sorenson.

4. Explanation of the degree to which the information concerns a service that is subject to competition.

The confidential information involves Telecommunications Relay Services, a highly competitive service.

5. Explanation of how disclosure of the information could result in substantial competitive harm.

Disclosure of the redacted information could cause substantial competitive harm to the Applicants because it would provide Sorenson's competitors with access to details about the company's critical infrastructure, operations, and organization that is not otherwise made public by Sorenson and that is of a type not typically made public by any TRS competitor. Sorenson's competitors could use this information to compete against Sorenson and undermine Sorenson's position in the VRS marketplace.

6. Identification of any measures taken to prevent unauthorized disclosure.

The Applicants treat the redacted information as highly confidential and exercise significant care to ensure that such information is not disclosed to competitors or the public.

7. Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties.

The Applicants do not make the redacted information available to the public, and this information has not previously been disclosed to third parties.

8. Justification of the period during which the submitting party asserts that the material should not be available for public disclosure.

The Applicants request that the redacted information be treated as confidential on an indefinite basis as they cannot identify a certain date at which this information could be disclosed without causing competitive harm.

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Please do not hesitate to direct questions about the attached application to the undersigned.

Sincerely,

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Consultant to Ariel GP Holdco, LLC

Attachments

cc: Patrick Webre, Chief, Consumer and Governmental Affairs Bureau
Diane Burstein, Deputy Bureau Chief, Consumer and Governmental Affairs Bureau
Robert Aldrich, Legal Advisor, Consumer and Governmental Affairs Bureau
Eliot Greenwald, Deputy Chief, Disability Rights Office

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)	
)	
Telecommunications Relay Services and)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals)	
with Hearing and Speech Disabilities)	
)	
Structure and Practices of the Video)	CG Docket No. 10-51
Relay Service Program)	
_____)	

**APPLICATION OF ARIEL GP HOLDCO, LLC
AND SORENSON COMMUNICATIONS, LLC FOR
CONDITIONAL CERTIFICATION TO PROVIDE VIDEO RELAY SERVICE**

I. INTRODUCTION

With this application (“Application”), Ariel GP Holdco, LLC (“Ariel”) and Sorenson Communications, LLC (“Sorenson”) (Ariel and Sorenson collectively, the “Applicants”) request conditional certification of Ariel to allow Sorenson, following acquisition of control by Ariel, to continue providing Video Relay Service (“VRS”) that is eligible for compensation from the Interstate Telecommunications Relay Service Fund (“TRS Fund”). Conditional certification would allow Sorenson to remain eligible to receive compensation from the TRS Fund for the provision of VRS on an interim basis pending the filing of, and Federal Communications Commission (“FCC” or “Commission”) action on, an application for full certification of Ariel and Sorenson that will be filed by Sorenson after the consummation of Ariel’s acquisition of control of Sorenson (“Transaction”).

Sorenson currently provides VRS pursuant to a conditional certification initially granted

by the Commission on April 24, 2014.¹ Ariel is an affiliate of Ariel Investments, LLC (“Ariel Investments”), a global value-based asset management firm founded in 1983.² Ariel and its affiliates intend to acquire a controlling approximately 52.5 percent voting interest in Sorenson pursuant to a merger agreement being negotiated between Ariel’s affiliate Ariel Alternatives, LLC (“Ariel Alternatives”)³ and Sorenson’s indirect, ultimate parent company Sorenson Holdings, LLC (“Sorenson Holdings”) subject to the satisfaction of certain conditions.

The Commission has stated that certifications to provide Internet-based Telecommunications Relay Service (“iTRS”) are not transferable to parties that do not already hold such certifications. The Commission instead requires that when an uncertified entity purchases, acquires, or merges with another iTRS provider, the acquiring or surviving provider must be certified before it can receive payments from the TRS Fund.⁴ When facing a pending

¹ *Grant of Conditional Certification for Sorenson Commc’ns, Inc., as Reorganized Pursuant to Chapter 11, to Provide Internet-Based Telecomms. Relay Servs. Pending Comm’n Action on Sorenson’s Application for Certification*, Public Notice, 29 FCC Rcd 4111 (2014) (“April 24, 2014 Notice”); see also *Structure and Practices of the Video Relay Service Program*, Second Report and Order, 26 FCC Rcd 10898 (2011) (“July 28, 2011 Order”); *Structure and Practices of the Video Relay Service Program*, Memorandum Opinion and Order, Order, and Further Notice of Proposed Rulemaking, 26 FCC Rcd 14895 (2011). Sorenson, which formerly operated under contract with the State of Utah’s FCC-certified TRS program, timely filed its Certification Application on December 2, 2011, and updated that application on December 3, 2012, December 3, 2013, February 28, 2014, May 15, 2014, December 2, 2014, December 2, 2015, December 2, 2016, December 4, 2017, December 6, 2018, and December 18, 2020. On November 18, 2016, Sorenson submitted a Notice of Change of Corporate Structure informing the Commission that as of September 29, 2016, Sorenson completed a change in corporate structure from a corporation to a Utah limited liability company.

² See Ariel Investments, <https://www.arielinvestments.com/> (last visited Dec. 7, 2021).

³ See Ariel Alternatives, *About Ariel Alternatives’ Project Black*, <https://arielalternatives.com/about/> (last visited Dec. 7, 2021); Ariel Alternatives, *Form ADV, Part 2A*, <https://www.arielinvestments.com/adv2> (last visited Dec. 7, 2021).

⁴ *Consumer and Governmental Affairs Bureau Clarifies the Transferability of Telecommunications Relay Service (TRS) Provider Certification*, Public Notice, 23 FCC Rcd

transaction, the Commission previously has granted “conditional certification” to enable a non-certified entity to acquire a certified TRS provider without causing the TRS provider to experience an interruption in funding.⁵ Such conditional certification has been granted on an interim basis conditioned upon the acquiring entity filing an application for full certification following the transaction’s consummation.⁶

Ariel intends to acquire indirect control of Sorenson, a certified VRS provider,⁷ but Ariel does not itself currently hold a VRS certification or any other TRS certification. In accordance with Commission precedent, the Applicants therefore request that the Commission grant Ariel a conditional certification to allow Sorenson to continue to provide VRS and be eligible to receive compensation from the TRS Fund on an interim basis following the proposed transfer of control of Sorenson to Ariel pursuant to the Transaction. If the Commission grants the Application, Sorenson, as controlled by Ariel, will file an application for full certification to provide VRS within 15 days after the Transaction is consummated. A draft of that application is attached as

10438 (CGB 2008); *see also Structure and Practices of the Video Relay Service Program*, Second Report and Order and Order, 26 FCC Rcd 10898, 10918 ¶ 47 (2011) (confirming that certification is not transferable to an entity not already certified by the Commission as eligible for compensation from the TRS Fund).

⁵ *See April 24, 2014 Notice. See also Notice of Grant of Conditional Certification for CSDVRS, LLC, to Provide Video Relay Service After its Acquisition by Kinderhook Capital Fund IV, L.P.*, 29 FCC Rcd 16237 (CGB 2014) (“*Kinderhook-ZVRS Public Notice*”).

⁶ *See April 24, 2014 Notice; Kinderhook-ZVRS Public Notice.*

⁷ Through its acquisition of control of Sorenson, Ariel would also acquire control of Sorenson’s wholly owned and controlled subsidiary, CaptionCall, LLC (“CaptionCall”), which holds a conditional certification to provide Internet Protocol Captioned Telephone Service (“IP CTS”). Ariel and CaptionCall are filing a conditional certification application concurrently herewith seeking conditional certification of Ariel to allow CaptionCall, following acquisition of control by Ariel, to continue providing IP CTS that is eligible for compensation from the TRS Fund.

Exhibit C.⁸ The Applicants ask the Commission to allow the conditional certification requested in this Application to remain in effect while the Commission evaluates and makes a final determination regarding Sorenson’s subsequently filed application for full certification.

II. THE PARTIES AND THE PROPOSED TRANSACTION

A. Sorenson Communications, LLC

Sorenson is the industry-leading provider of communications services and products designed to enable deaf and hard-of-hearing individuals to communicate with the hearing world. By offering consumers cutting-edge equipment and applications, and by staffing its network of one hundred VRS interpreting centers with highly skilled video interpreters (“VIs”⁹), Sorenson has demonstrated its commitment to working closely with the deaf and hard-of-hearing community to ensure that communications services continue to meet their needs. Since 2003, Sorenson has provided its award-winning iTRS offerings, which have earned a reputation for quality, reliability, and efficiency.

Indeed, when Sorenson first began providing VRS in 2003, VRS was provided over computers or using videophone technology designed for use by fully hearing users. Sorenson revolutionized VRS by designing and providing a deaf-centric videophone that leveraged the consumer’s television to provide high quality VRS that could be displayed on a much larger screen than had previously been possible. Sorenson also led in ensuring that it could reliably connect its VRS callers to 911, introduced toll-free numbers for VRS to facilitate the ability of

⁸ The Exhibits to the draft application set forth in Exhibit C have been omitted because they will need to be updated prior to the filing of an application for full certification.

⁹ Although the Commission’s rules utilize the term “communications assistants,” in this application, Sorenson refers to its VRS simultaneous interpreters as “video interpreters.”

deaf users to receive calls directly, and then transitioned on time to the use of ten-digit NANP numbers when that was required by the Commission. Sorenson has established a proven record of not just meeting, but far exceeding the Commission’s minimum standards, and it continues to set the pace among iTRS providers with respect to robust internal compliance systems and efforts to combat fraud. By virtually any measure, Sorenson has proven itself to be the industry leader in terms of service quality, equipment innovations, efficiency, ease of use, fraud prevention, and consumer responsiveness. As of November 1, 2021, Sorenson serves *****BEGIN**
CONFIDENTIAL***[REDACTED]*****END CONFIDENTIAL*****

Sorenson maintained its VRS industry leadership as the COVID pandemic unfolded. Sorenson made extraordinary efforts to keep its service running and to restore service levels as call volume substantially increased. At the start of the COVID pandemic, Sorenson had only a limited number of VIs working from home, and the pandemic reduced the number of VIs willing and able to come to work in call centers. Facilitated by the Commission’s COVID waivers, Sorenson rapidly modified its network to enable remote work by VIs. Fortunately, through the combination of these activities, Sorenson was able to ensure that the transition to remote work did not cause VRS speed of answer to change substantially from pre-COVID levels. In addition, during COVID, Sorenson introduced an add-on VRS feature to permit end-to-end deaf-to-hearing video VRS calls, which allowed deaf consumers to connect with loved ones by video at times when in-person visits were not possible. It continues to work on innovative ways to extend VRS capabilities beyond traditional telephone service.

Sorenson, which is a Utah-organized limited liability company, is wholly owned and controlled by SCI Holdings, LLC (“SCI Holdings”), a Delaware-organized limited liability company. SCI Holdings, in turn, is wholly owned and controlled by Sorenson Holdings, which

also is a Delaware-organized limited liability company.

B. Ariel GP Holdco, LLC

Ariel is an affiliate of Ariel Investments and Ariel Alternatives. Founded in 1983, Ariel Investments is a Delaware-organized limited liability company and a global value-based asset management firm. Launched in February 2021, Ariel Alternatives, a Delaware-organized limited liability company, is a private asset management firm affiliated with Ariel. Ariel Alternatives' mission is to scale sustainable minority-owned business enterprises, as described in detail below as part of the demonstration that grant of this Application is in the public interest. The address for Ariel, Ariel Investments, and Ariel Alternatives currently is 200 E. Randolph Street, 29th Floor, Chicago, Illinois, and its telephone number is (312) 612-2600.¹⁰

Ariel will indirectly own and control approximately 52.5 percent of the voting and equity interests in Delaware-organized limited liability company Inclusive Language Services, LLC (“ILS”), which, in turn, will wholly own and control Sorenson Holdings, LLC following the consummation of the Transaction. Ariel holds its interest in ILS through two Ariel-affiliated investment funds, Project Black Fund, LP (“Project Black Fund”), a Delaware-organized limited partnership, and Project Black Coordinated Participation Fund, LP (“PBCP Fund”), also a Delaware-organized limited partnership. Collectively, the two funds directly hold an approximately 52.5 percent voting and equity interests in ILS. Ariel Alternatives¹¹ serves as the investment advisor to both Project Black Fund and PBCP Fund.

¹⁰ Within the coming year, Ariel Alternatives will be relocating its offices to New York City.

¹¹ See Ariel Alternatives, *Form ADV, Part 2A*, <https://www.arielinvestments.com/adv2> (last visited Dec. 7, 2021).

The sole general partner of the Project Black Fund is Project Black GP, LP (“Project Black GP”), a Delaware-organized limited partnership, and the sole general partner of the PBCP Fund is Project Black Coordinated Participation Fund GP, LP (“PBCP GP”), a Delaware-organized limited partnership. Ariel is the sole general partner of both Project Black GP and PBCP GP. The limited partner investors in the Project Black Fund, PBCP Fund, Project Black GP, and PBCP GP hold no material voting interests in these limited partnerships, and no single such limited partner investor will hold a direct or indirect aggregate voting or equity interest in Sorenson of 10 percent or more.

The sole member of Ariel is Ariel Investments, which wholly owns and controls Ariel. Two U.S. citizens control Ariel Investments: John W. Rogers, Jr. and Mellody Hobson. Through their direct interest in Ariel Investments and through their interests in Ariel Capital Management Holdings, Inc. (“Ariel Capital”), an Illinois corporation that holds an approximately 47 percent interest in Ariel Investments, Mr. Rogers and Ms. Hobson collectively hold an approximately 70 percent interest in Ariel Investments. No other individual or entity holds a direct or indirect aggregate 10 percent or greater voting or equity interest in Ariel Investments, or in Sorenson through Ariel Investments, and more than 99 percent of Ariel Investments is held by U.S. individuals or entities.

The proposed post-consummation ownership structure of Sorenson is set forth in Exhibit A.

C. Proposed Transaction

Pursuant to the merger agreement being negotiated, Ariel intends to acquire indirect control of Sorenson Holdings, a Delaware limited liability company that is the parent company of Sorenson, subject to certain conditions set forth in the merger agreement. These include

obtaining all applicable regulatory approvals, including approval by the Commission of this Application, and the Applicants' agreement on all outstanding terms of the Transaction.

Following consummation of the Transaction, Ariel will control, and the Project Black Fund and PBCP Fund will hold, approximately 52.5 percent of the issued and outstanding voting equity of ILS, which, in turn, will wholly own and control Sorenson Holdings and therefore Sorenson. This voting control of ILS will provide Ariel with *de jure* and *de facto* control of Sorenson post-consummation. Through its control of a majority of ILS' voting equity, Ariel will hold the exclusive right to appoint a majority of ILS' board of managers, as well as the Chairman of ILS' board. ILS' board of managers, in turn, exclusively will control the business and affairs of ILS, including control of ILS' controlling interest in Sorenson Holdings and Sorenson.

Sorenson Holdings' current indirect controlling interest holder, funds managed by affiliates of Blackstone, Inc. ("Blackstone"), will become a non-controlling interest holder in ILS following consummation of the Transaction. At that time, there will be two non-controlling minority interest holders in ILS that hold aggregate direct or indirect equity and voting interests of at least 10 percent:

- Certain funds managed or advised by Blackstone Alternative Credit Advisors LP Credit L.P., formerly known as GSO Capital Partners LP, ***BEGIN

CONFIDENTIAL ***

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- Certain investment funds for which Franklin Mutual Advisers LLC acts as an investment advisor ***BEGIN CONFIDENTIAL ***

END CONFIDENTIAL

III. GRANT OF THIS APPLICATION IS IN THE PUBLIC INTEREST

Sorenson will be among the first of Ariel’s investments through Ariel Alternatives’ Project Black initiative. Ariel Alternatives is the investment advisor for Project Black Fund and PBCP Fund and will manage their investment in Sorenson and its wholly owned and controlled subsidiary, IP CTS provider CaptionCall. “An enterprise newly conceived for the times, built on a 38-year-old foundation,”¹² Ariel Alternatives has the objective of scaling sustainable minority-owned businesses. As part of this effort, Ariel Alternatives will manage Ariel’s investment in middle-market companies that are not currently minority owned, transforming these entities into certified minority business enterprises, as well as in existing Black and Latinx-owned businesses. Ariel Alternatives aims to close the racial wealth gap by generating jobs, economic growth and opportunity, and equity within underrepresented populations from the entry level to the boardroom.

Through its affiliate, Project Black Management Company, LLC (“Project Black”), Ariel and Ariel Alternatives plan to invest in six to ten existing standalone companies and corporate divisions in the middle market that are not currently minority owned, as well as existing Black and Latinx-owned businesses, with \$100 million to more than \$1 billion in revenue. Project Black will seek to position these companies as leading suppliers to Fortune 500 companies—supporting supply chain diversity. Through a rigorous review and direct engagement, Project

¹² See Ariel Alternatives, *Introducing Ariel Alternatives, LLC*, <https://arielalternatives.com/> (last visited Dec. 7, 2021).

Black's investment team researched the needs of Fortune 500 companies across industries. Project Black plans to focus predominately on the following sectors: healthcare products and services, industrial services, media and marketing services, non-core business process outsourcing, niche value-added manufacturing and packaging, technology, transportation and logistics, and financial and professional services. The Project Black strategy will continue to be informed by direct engagement with Ariel Alternatives' network of Fortune 500 companies that are committed to diversifying their vendors and narrowing the wealth gap. The Project Black investment team believes that through ownership and ongoing counsel, future companies will become scalable platforms with long-term growth potential.

Project Black aims to help Fortune 500 corporations and other large business enterprises achieve supplier-diversity and corporate-citizenship impact goals. Through its companies, this initiative will empower diverse leadership and workforces, strive to create up to 100,000 jobs in the next decade, and enable employees to build wealth over time. Ariel Alternatives will also direct a portion of the profit it receives from Project Black to philanthropic organizations dedicated to equity, inclusion, and civil rights.

Project Black is led by an experienced leadership team. Ariel Alternatives has assembled an experienced and highly accomplished leadership team to carry out the Project Black vision. Co-founder Mellody Hobson is Co-CEO, President, and a director of Ariel Investments and Chairman of the Board of Trustees of the Ariel Investment Trust, an investment company registered with the Securities and Exchange Commission. She is also Chair of the Board of Starbucks Corporation and a director of JPMorgan Chase. Co-founder Leslie A. Brun has over 40 years of private-equity experience. He is the founder and former Chairman and CEO of Hamilton Lane, a publicly traded global investment firm with over \$500 billion in assets under

management and supervision. He currently serves as Chairman of CDK Global, lead independent director of Broadridge Financial Solutions, Inc., and a director of Corning, Inc. In addition, he was the previous lead independent director of Merck & Co., Inc. and is a former director of Ariel Investments.

Other key senior members of the Project Black investment team, Frantz Alphonse, Charles Corpening, and Richard Powell, bring decades of experience in private-equity investing.¹³ These investment team leaders have worked over decades in similar markets to those on which Ariel Alternatives is focusing through Project Black. They bring deep relationships with Fortune 500 C-Suite executives, board members, and purchasing officers. Ariel Alternatives will also leverage strategic counsel from its advisory board, a group of highly diverse individuals who have served on the boards of several Fortune 500 and other public companies, including, but not limited to: Apple, Inc.; Dell Inc.; HP Inc.; McDonald's Corporation; The New York Times Company; Nike, Inc.; and Synchrony Financial.

Sorenson and CaptionCall will be led by new management and a new board of directors post-acquisition. In acquiring Sorenson and CaptionCall, Ariel plans to inject the companies with new management and a new board of directors, as well as imposing new strategic priorities, including enhanced compliance expertise and controls. Ariel already has identified highly talented leadership to manage the companies and to serve on their boards of directors.

- Jorge Rodriguez will become the CEO of Sorenson and CaptionCall and a director on their boards of directors. Mr. Rodriguez, who most recently was the President and CEO

¹³ Additional information about Ariel Investments' leadership, including bios of the individuals named in the text, can be found at <https://arielalternatives.com/team/>.

of multiple America Movil companies, has more than thirty years of telecommunications and management experience. He also serves on the board of several America Movil companies, as well as other boards, including the Board of Overseers for Columbia University School of Professional Studies.

- Paget Alves will become the Chairman of the board of directors of Sorenson. Mr. Alves previously served as the Chief Sales Officer and President of Business Markets Group for Sprint Corporation. He also is a board member of Assurant, Inc.; International Game Technology, PLC; Synchrony Financial; and Yum! Brands, Inc.
- Vonya McCann will also join the Sorenson board of directors and provide a dedicated, board-level focus on ensuring strong compliance. Ms. McCann, who formerly was a Senior Vice President for Government Affairs at Sprint Corporation, has had a long career in both communications and government.

Brief biographies of Mr. Rodriguez, Mr. Alves, and Ms. McCann are attached as Exhibit B.

As the new controlling owner of Sorenson, Ariel intends to bring new focus to three areas that are significant to the Commission's public interest analysis: (1) maintaining an enhanced working relationship with the Commission so that the company can work as a partner to help maximize the benefits of TRS for those who need it while using the TRS Fund wisely; (2) repositioning the company to pursue non-TRS business-to-business opportunities that will diversify the service offerings of Sorenson and CaptionCall to benefit the deaf and hard-of-hearing community; and (3) expanding access to TRS and other disability access services for the deaf and hard-of-hearing community, especially in currently underserved areas.

Sorenson and CaptionCall will focus on their relationship with the FCC and the deaf and

hard of hearing. On the first point, Ariel fully understands the importance of the Commission's oversight of the TRS Fund and the need for TRS providers to work cooperatively with the Commission both to provide excellent services to the individuals who need TRS and to ensure that money from the TRS Fund is well spent. Ariel will task Sorenson and CaptionCall's new board and senior management with ensuring that their relationship with the FCC has a strong foundation going forward. Part of this key initiative will be an intensified, board-level focus on compliance, spearheaded by Ms. McCann.

As a complement to Ariel's commitment to an enhanced relationship with the Commission, Ariel will strive to enhance Sorenson and CaptionCall's relationship with the deaf and hard-of-hearing community as well. Engaging with the community to get a better understanding of deaf and hard-of-hearing individuals' communications needs, particularly those within the community who have not used or had access to TRS, will better allow the company to identify important technological innovations for its TRS offerings.

Sorenson and CaptionCall will expand into non-TRS services for the deaf and hard-of-hearing community. Ariel's planned emphasis on non-TRS, business-to-business service offerings, well beyond Sorenson and CaptionCall's current activity in that market, will allow the companies to bring added benefits to those who are deaf and hard of hearing. TRS is a critical, life-enabling service, and will remain a core focus, but TRS does not meet all the communications needs of the deaf and hard-of-hearing community. By offering interpreting services directly to businesses so that they can provide such things as workplace accommodations, educational activities, and customer service, Sorenson and CaptionCall's expanded business under the leadership of Ariel will meet the broader needs of the community. Ariel will, of course, be vigilant to ensure that the costs of providing non-TRS services are

properly allocated, consistent with the Commission's requirements and in a way that does not adversely affect the TRS Fund.

Sorenson and CaptionCall will improve the diversity and enlarge the pool of TRS VIs and non-TRS interpreters. Finally, in addition to benefitting TRS users and the deaf and hard-of-hearing community more generally, Ariel's approach will benefit the broader community as well. As noted above, part of Ariel Alternatives' Project Black mission is to create jobs in diverse communities. The critical need for more, and, as important, more diverse, VIs offers an opportunity for Ariel's leadership of Sorenson and CaptionCall to help fulfill the Project Black mission. Both in connection with the Commission's TRS programs and for other non-TRS services that Sorenson and CaptionCall will provide to the deaf and hard-of-hearing community, Ariel is exploring opportunities to ensure a more diverse pipeline of future VIs, such as partnerships with leading institutional and community organizations and education scholarships and apprenticeships. As the pool of American Sign Language interpreters is currently estimated to be approximately 85 percent white, these efforts will identify and mitigate the gaps in recruitment and/or education and thereby better match VIs and interpreters to the diverse community of deaf and hard-of-hearing individuals that they serve, while also generally enlarging the pool of available VIs.

For all these reasons, Ariel believes that the Commission's grant of this Application is in the public interest.

IV. CONCLUSION

Sorenson and Ariel are committed to providing high quality, innovative VRS, as well as to complying fully with all applicable Commission regulations. Granting a conditional certification

to allow Sorenson to remain eligible to receive compensation from the TRS Fund pending full certification is therefore in the public interest.

Respectfully submitted,

By: SORENSON COMMUNICATIONS, LLC

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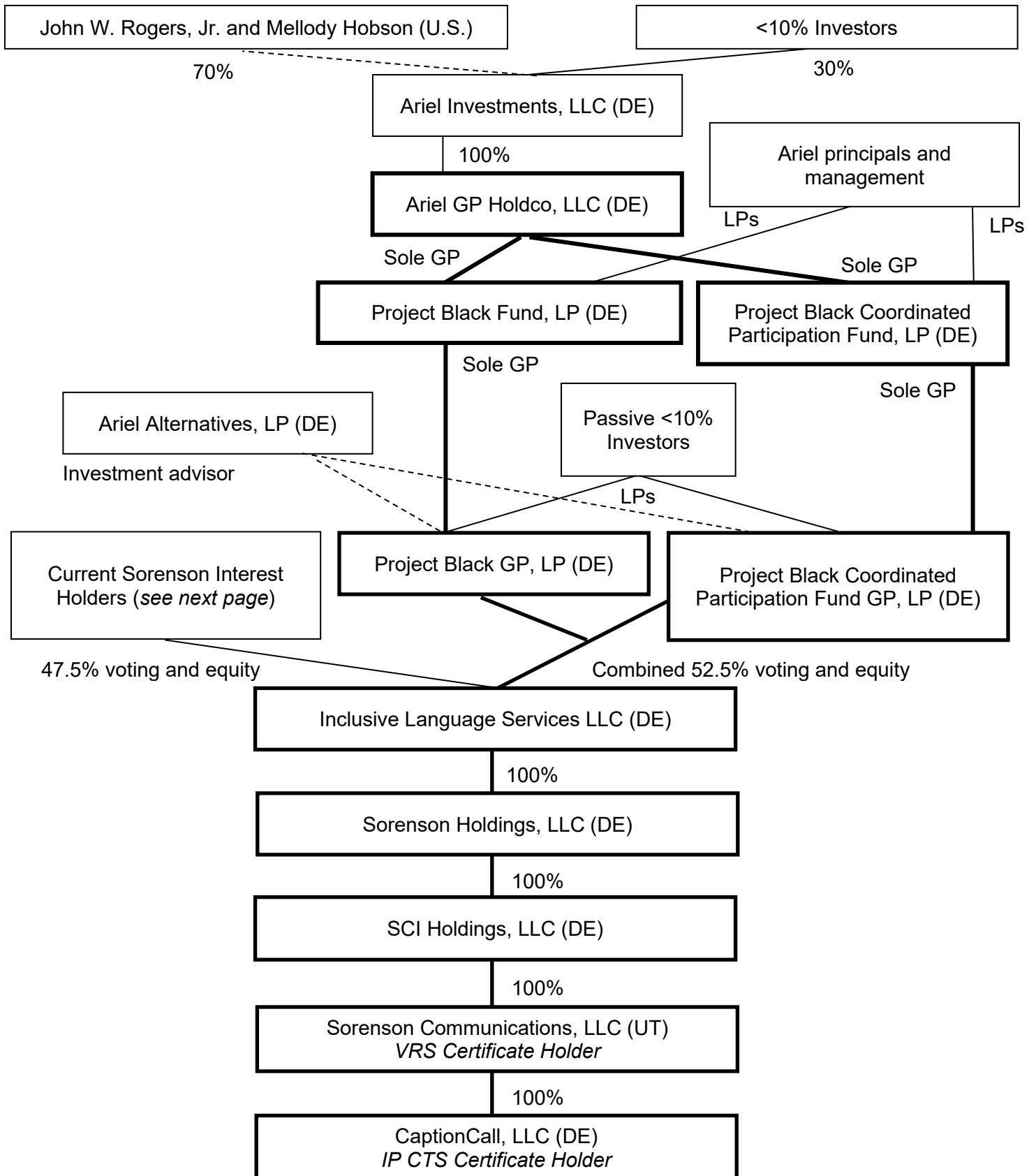
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Consultant to Ariel GP Holdco, LLC

Filed: December 10, 2021

EXHIBIT A

SORENSEN/CAPTIONCALL POST-CONSUMMATION OWNERSHIP STRUCTURE



**CURRENT SORENSON INTEREST HOLDERS
POST-CONSUMMATION OWNERSHIP STRUCTURE**

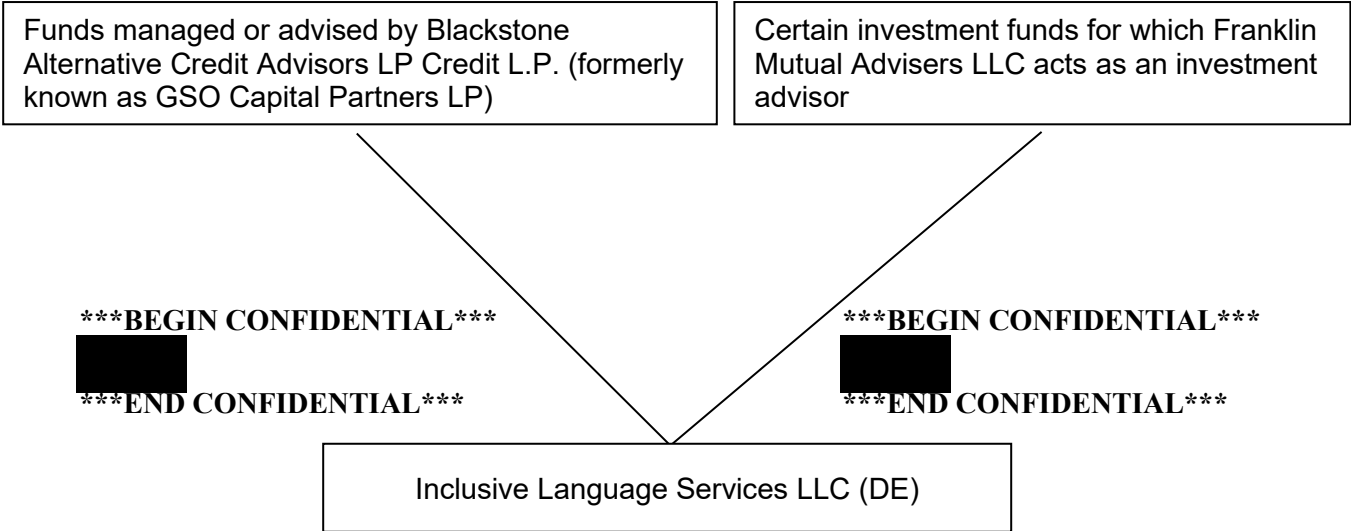


EXHIBIT B

BIOS OF JORGE RODRIGUEZ, PAGET L. ALVES, AND VONYA B. MCCANN



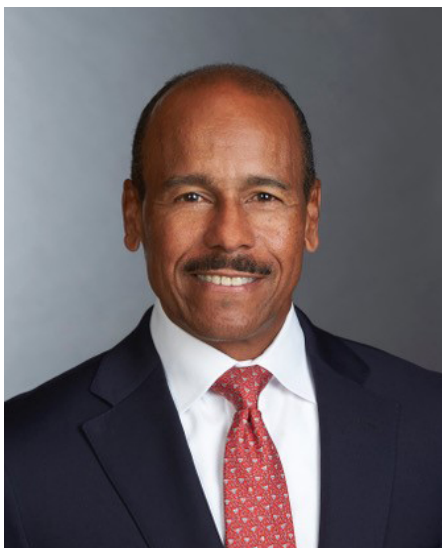
Jorge Rodriguez

***Post-Acquisition President & CEO of Sorenson and
CaptionCall***

Jorge Rodriguez most recently served as the President & CEO of multiple America Movil companies including Claro Enterprise Solutions, Telvista Inc. and Global HITSS USA; additionally, he was the senior executive responsible for the firm's global enterprise segment. Mr. Rodriguez was a critical member of the AT&T Latin America integration team which catapulted America Movil into a pan-regional operator and helped develop the firm's global expansion strategy. He was responsible for positioning the firm across key global markets, managing the international offer management, business innovation and BPO organizations, as well as leading the firm's global enterprise strategy for multinational customers. Rodriguez launched America Movil's telecommunications and IT operations in Western Europe and the U.S.A., established an integrated channel management strategy across the U.S. market, and forged strategic alliances in support of an aggressive growth strategy. Mr. Rodriguez continues to serve on the board of several America Movil companies and other external boards including the Board of Overseers for Columbia University SPS.

Rodriguez has over 30 years of telecommunications, management and international experience. Prior to joining America Movil in 2004, he held various executive positions at AT&T and AT&T Latin America including: VP Corporate Operations, Vice President of Sales and Operations and Regional Vice President. Among his many achievements at AT&T and AT&T LA, he launched startup operations across Latin America, established a fully integrated regional operation in support of Global Clients and was a Board Member of several AT&T LA operating companies in Latin America.

Rodriguez holds a M.Sc. in Technology from Columbia University, an MBA from RIT, is a graduate of Keenan Flagler's (UNC Chapel Hill) Masters Advanced Management Program and obtained his B.A. in Biology-Molecular Biology from Colgate University.



Paget L. Alves

Post-Acquisition Chairman of the Board of Sorenson

Mr. Paget L. Alves held a wide variety of leadership positions at Sprint Corp. He was the Chief Sales Officer after January 2012. Between 2008 and 2012, he served as Sprint Corp.'s President of Business Markets Group, Chief Financial Officer, and President of Sales and Distribution. Further, Mr. Alves served as Sprint Corp.'s Regional President of Sales and Distribution from September 2006 to March 2008. He also served as Sprint Corp.'s Senior Vice President, Enterprise Markets from January 2006 to September 2006, as well as its President of Strategic Markets from November 2003 to January 2006.

Prior to his time with Sprint Corp., Mr. Alves served as the President and Chief Operating Officer at Centennial Communications Corp. from March 2002 to January 2003. Mr. Alves also served as the President and Chief Executive Officer at Pointone, Inc. from June 2000 to December 2001. Further, he was a Director and Member of the Audit Committee of GTECH Holdings Corporation, and he also has been a Director of International Game Technology since January 12, 2010 and a Director of Herman Miller Inc. from September 2007 to January 2010.

Mr. Alves holds a Bachelor of Science degree in Industrial Relations from Cornell University and a Juris Doctor degree from Cornell Law School.



Vonya B. McCann

Post-Acquisition Sorenson Board Member

Vonya B. McCann was Senior Vice President, Government Affairs of Sprint Corporation from August 2009 to April 2020, when Sprint was acquired by T-Mobile. Ms. McCann was responsible for the development of Sprint's regulatory, legislative, and public policy positions at the state, federal, and international levels and for advising the CEO and other senior executives. She retired from T-Mobile in January 2021.

Before joining Sprint, Ms. McCann served as Ambassador and Deputy Assistant Secretary of State for International Communications and Information Policy, nominated by President William J. Clinton and confirmed by the U.S. Senate. In that role, she developed positions on global information technology policy, represented the U.S. in international organizations responsible for telecommunications issues, and acted as chief advocate and negotiator to advance U.S. policy objectives. During her tenure at the State Department, Ms. McCann also served as Principal Deputy Assistant Secretary for Economic and Business Affairs, which included oversight of international trade, finance, and transportation policy.

Prior to joining the Clinton Administration, Ms. McCann was a partner in the Washington, D.C. law firm of Arent, Fox, Kintner, Plotkin & Kahn, where she practiced Communications Law. She also held positions at the Federal Communications Commission and the National Telecommunications and Information Administration of the Department of Commerce.

Ms. McCann received her undergraduate degree from UCLA and a master's degree in public policy and a law degree from the University of California, Berkeley.

Ms. McCann has received a variety of awards, including the Most Influential Women in Wireless Award (ranked #3); National Eagle Leadership Institute Eagle Award; two Sprint Leadership Excellence Awards; Washington Business Journal, Women Who Mean Business Award; Women in Technology, Corporate Leadership Award; U.S. Department of State, Distinguished Honor Award; and National Association of Blacks in Telecommunications Professionals, Patrice Johnson Award for Excellence.

EXHIBIT C

**[DRAFT] APPLICATION OF SORENSON COMMUNICATIONS, LLC,
AS MAJORITY-OWNED AND CONTROLLED BY ARIEL GP HOLDCO, LLC,
FOR CERTIFICATION TO PROVIDE VIDEO RELAY SERVICE**

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
)	
Structure and Practices of the Video Relay)	CG Docket No. 10-51
Service Program)	
)	
Telecommunications Relay Service and)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals)	
with Hearing and Speech Disabilities)	
_____)	

To: Chief, Consumer and Governmental Affairs Bureau, TRS Certification Program

**[DRAFT] APPLICATION OF SORENSON COMMUNICATIONS, LLC,
AS MAJORITY-OWNED AND CONTROLLED BY ARIEL GP HOLDCO, LLC,
FOR CERTIFICATION TO PROVIDE VIDEO RELAY SERVICE**

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Counsel to Sorenson Communications, LLC

Dated: [[DATE]], 2021

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[[TO BE INSERTED]]

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To: Chief, Consumer and Governmental Affairs Bureau, TRS Certification Program

**[DRAFT] APPLICATION OF SORENSON COMMUNICATIONS, LLC,
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I. Introduction and Summary

Pursuant to 47 C.F.R. § 64.606(a)(2) and (g) of the Federal Communications Commission’s (“FCC” or “Commission”) rules, Sorenson Communications, LLC (“Sorenson”), as majority-owned and controlled by Ariel GP Holdco, LLC (“Ariel”) (CaptionCall and Ariel collectively, “Applicants”) submits this application (“Application”) for certification as a provider of Video Relay Service (“VRS”) eligible for compensation from the Interstate Telecommunications Relay Service Fund (“TRS Fund”).

Sorenson currently provides VRS pursuant to a conditional certification granted to Sorenson in connection with the transfer of control of Sorenson (and its subsidiary CaptionCall) to Ariel.¹ Prior to that, Sorenson provided VRS pursuant to a conditional certification initially

¹ [[ADD CITE]] (“*Ariel Certification Order*”).

granted by the Commission on April 24, 2014.² Sorenson is the industry-leading provider of communications services and products designed to enable deaf and hard-of-hearing individuals to communicate with the hearing world. By offering consumers cutting-edge equipment and applications, and by staffing its network of VRS interpreting centers and at-home workstations with highly skilled video interpreters (“VIs”³), Sorenson has demonstrated its commitment to working closely with the deaf and hard-of-hearing community to ensure that communications services continue to meet their needs. Since 2003, Sorenson has provided its award-winning iTRS offerings, which have earned a reputation for quality, reliability, and efficiency.

Indeed, when Sorenson first began providing VRS in 2003, VRS was provided over computers or using videophone technology designed for use by fully hearing users. Sorenson revolutionized VRS by designing and providing a deaf-centric videophone that leveraged the consumer’s television to provide high quality VRS that could be displayed on a much larger screen than had previously been possible. Sorenson also led the way in implementing use of ten-digit NANP numbers for VRS, and in ensuring that it could reliably connect its VRS callers to 911. Sorenson has established a proven record of not just meeting, but exceeding the

² *Grant of Conditional Certification for Sorenson Commc’ns, Inc., as Reorganized Pursuant to Chapter 11, to Provide Internet-Based Telecomms. Relay Servs. Pending Comm’n Action on Sorenson’s Application for Certification*, Public Notice, 29 FCC Rcd 4111 (2014) (“April 24, 2014 Notice”); see also *Structure and Practices of the Video Relay Service Program*, Second Report and Order, 26 FCC Rcd 10898 (2011) (“July 28, 2011 Order”); *Structure and Practices of the Video Relay Service Program*, Memorandum Opinion and Order, Order, and Further Notice of Proposed Rulemaking, 26 FCC Rcd 14895 (2011). On November 18, 2016, Sorenson submitted a Notice of Change of Corporate Structure informing the Commission that as of September 29, 2016, Sorenson completed a change in corporate structure from a corporation to a Utah limited liability company.

³ Although the Commission’s rules utilize the term “communications assistants,” in this application, Sorenson refers to its VRS simultaneous interpreters as “video interpreters.”

Commission's minimum standards, and it continues to set the pace among iTRS providers with respect to robust internal compliance systems and efforts to combat fraud. By virtually any measure, Sorenson has proven itself to be the industry leader in terms of service quality, equipment innovations, efficiency, ease of use, fraud prevention, and consumer responsiveness.

As of November 1, 2021, Sorenson serves *****BEGIN CONFIDENTIAL***** [REDACTED]

[REDACTED] *****END CONFIDENTIAL*****

Sorenson maintained its VRS industry leadership as the COVID pandemic unfolded. Sorenson made extraordinary efforts to keep its service running and to restore service levels as call volume substantially increased. At the start of the COVID pandemic, Sorenson had only a limited number of VIs working from home, and the pandemic reduced the number of VIs willing and able to come to work in call centers. Facilitated by the Commission's COVID waivers, Sorenson rapidly modified its network to enable remote work by VIs. Fortunately, through the combination of these activities, Sorenson was generally able to maintain its VRS speed of answer at or near pre-COVID levels. In addition, during COVID, Sorenson introduced an add-on VRS feature to permit end-to-end deaf-to-hearing video VRS calls, which allowed deaf consumers to connect with loved ones by video at times when in-person visits were not possible. It continues to work on innovative ways to extend VRS capabilities beyond traditional telephone service.

II. Forms of iTRS to Be Provided (47 C.F.R. § 64.606(a)(2)(i))

Pursuant to the Commission's *July 28, 2011 Order* and its *April 24, 2014 Notice*, Sorenson currently provides VRS. Sorenson, which formerly operated under contract with the State of Utah's FCC-certified TRS program, timely filed its Certification Application on December 2, 2011, and updated that application on December 3, 2012, December 3, 2013,

February 28, 2014, May 15, 2014, December 2, 2014, December 2, 2015, December 2, 2016, December 4, 2017, December 6, 2018, December 20, 2019, and December 18, 2020. This filing also serves as an update to the 2011 application.

III. Meeting Non-Waived Minimum Standards (47 C.F.R. § 64.606(a)(2)(ii))

As explained in the chart that follows, Sorenson has policies in place for meeting all of the non-waived minimum standards applicable to VRS.⁴

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
VI Training 47 C.F.R. § 64.604(a)(1)(i)	--	Sorenson has developed a robust in-house training program in which its VIs are instructed in depth on meeting the needs of Deaf and hard-of-hearing consumers, complying with the regulatory standards applicable to VIs, and the operational and technological aspects of Sorenson's services and equipment. Its VIs are trained for an average of ***BEGIN CONFIDENTIAL*** <div style="background-color: black; height: 20px; width: 100%;"></div> <div style="background-color: black; height: 20px; width: 100%;"></div> ***END CONFIDENTIAL***
VI Skills 47 C.F.R. § 64.604(a)(1)(ii)	--	As part of its robust training program, Sorenson's policy is to ensure that its VIs handling VRS calls are sufficiently skilled in ASL ⁵ ; that they are familiar with hearing and speech-disability cultures, languages, and etiquette; and that they possess clear and articulate voice communications skills.

⁴ With respect to some of the non-waived minimum standards, the Commission's requirements are ambiguous, and the Commission has not provided additional guidance as to their meaning. In those cases, Sorenson provides the following enumeration utilizing its understanding of the scope or substance of these requirements.

⁵ The minimum standards involving typing and spelling do not apply to VRS. *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 5140, 5159 ¶ 42 (2000).

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
VRS VI Qualifications 47 C.F.R. § 64.604(a)(1)(iv)	--	Through its applicant screening and in-house training systems, Sorenson's policy is to ensure that all of its VRS VIs are "qualified interpreters"—that is, that they are able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.
Ten Minute Rule 47 C.F.R. § 64.604(a)(1)(v) ⁶	--	Sorenson's procedures provide that VIs must stay with any given call for a minimum of ten minutes once the VI reaches the called party, unless (a) the VRS end user terminates the call earlier or requests another VI, or (b) either the VRS user or VI finds that they are not communicating effectively given the nature of the call.
Gender Preference 47 C.F.R. § 64.604(a)(1)(vi)	--	As part of its operating procedures, Sorenson makes its best efforts to accommodate its customers' requests regarding the gender of the VI handling their calls—both at call initiation and in the event of a transfer to another VI.
Confidentiality Rule 47 C.F.R. § 64.604(a)(2)(i)	--	Sorenson's policy is to bar its VIs from disclosing the content of any relayed conversation, except as authorized by 47 U.S.C. § 605, ⁷ or as otherwise authorized or required by law.

⁶ See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing Speech Disabilities*, Order, 21 FCC Rcd 6733, 6736 ¶ 9 (2006) ("If the party using sign language or the VRS VI find that they are not communicating effectively given the nature of the call, the VRS provider may have another VI handle the call without violating the 10-minute in-call replacement rule.").

⁷ Sorenson has filed a petition for declaratory ruling to clarify its call-handling obligations under 47 C.F.R. § 64.604(a)(2). See Sorenson's Petition for a Declaratory Ruling or Alternatively a Rulemaking Regarding Call Handling Obligations, CG Docket Nos. 03-123 & 10-51 (filed Nov. 8, 2016).

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
Accuracy Rule 47 C.F.R. § 64.604(a)(2)(ii)	--	Sorenson's policy is to bar its VIs from intentionally altering the conversations they relay, except to the extent (i) the iTRS end user requests summarization or similar alterations, or (ii) necessary to provide information to emergency responders as allowed by rule.
Sequential Calls 47 C.F.R. § 64.604(a)(3)(i)	--	Sorenson's policy is to bar its VIs from refusing single or sequential calls.
Call Length 47 C.F.R. § 64.604(a)(3)(i)	--	Sorenson's policy is to not limit the length of calls.
Types of Calls 47 C.F.R. § 64.604(a)(3)(ii)	Conditional exemption ⁸	Sorenson's VRS is capable of handling any type of call normally provided by telecommunications carriers except as exempted by the Commission.
One-Line VCO, Two-Line VCO 47 C.F.R. § 64.604(a)(3)(v)(B)	Partial waiver ⁹	Sorenson's policy is to support two-line VCO for all VRS users. Sorenson's policy also supports one-line VCO by providing at least one form of iTRS access technology that supports this functionality.
One-Line HCO Two-Line HCO 47 C.F.R. § 64.604(a)(3)(v)(C)	Partial waiver ¹⁰	Sorenson's policy is to support two-line HCO for all VRS users. As required by the rules, Sorenson's policy is to provide at least one form of iTRS access technology that supports one-line HCO.
Speed Dialing 47 C.F.R. § 64.604(a)(3)(vi)(B)	--	Sorenson's policy is to make speed-dialing functionality available to its VRS customers.

⁸ See *Telecommunications Relay Services & Speech-to-Speech Services for Individuals with Hearing & Speech Disabilities Waivers of ITRS Mandatory Minimum Standards*, Report and Order, Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, 29 FCC Rcd 10697, 10703-06 ¶¶ 11-15 (2014) (“2014 Waiver Order”).

⁹ 2014 Waiver Order ¶¶ 34-35 (waiving requirement that VRS providers support one-line VCO and one-line HCO on VRS access technology distributed by another provider).

¹⁰ *Id.*

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
Three-Way Calling 47 C.F.R. § 64.604(a)(3)(vi)(C)	--	Sorenson's policy is to meet the three-way calling requirement by ensuring that its VIs can handle a three-way call arranged by the hearing party just as they would handle any other call. ¹¹ Over and beyond the requirement, Sorenson's policy also permits Deaf users to place three-way calls to multiple hearing parties.
Recorded Messages and Interactive Menus 47 C.F.R. § 64.604(a)(3)(vii)	--	Sorenson's policy is for VIs to alert a VRS user to the presence of a recorded message and interactive menu ¹² and process such calls just as they would process any other call. Sorenson's policy is to not impose charges for calls to recorded messages.
Answering Machine Retrieval 47 C.F.R. § 64.604(a)(3)(viii)	--	Sorenson's policy is to permit users to place VRS calls to retrieve voice messages left in their voice mailbox and to permit VIs to interpret messages left on a user's voice answering machine.

¹¹ The Commission has stated that TRS providers satisfy the three-way calling requirement if they "ensure that the TRS facility or [VI] facilitates or handles a three-way call, as the [VI] would handle any TRS call, where and to the extent the three-way call has been arranged by any one of the parties to the call, e.g., using a party's LEC-provided custom calling service (CCS), by bridging two telephone lines via customer terminal equipment, or by some other means." *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 20 FCC Rcd 3689, 3691 ¶ 8 (2005). The Commission has further clarified "that TRS providers are not required to be able to arrange, initiate, or set up a three-way call (but they may do so) . . . so long as the provider is able to handle or facilitate a three-way call, in some manner, whether initiated by one of the parties to the call or set up by the provider." *Id.*

¹² The requirement that the VI use a "hot key" to "send text from the [VI] to the consumer's TTY" plainly does not apply to VRS, which does not use TTYs or send text. *See* 47 C.F.R. § 64.604(a)(3)(vii). Similarly, the requirement that TRS providers "electronically capture" recorded messages so that they can type the whole message without requiring the user to hang up and call back multiple times also plainly does not apply to VRS. Sorenson VIs relay recorded messages in real time without requiring users to hang up and call back and therefore do not need to record electronic messages. *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 5140, 5179 ¶ 92 (2000) (noting that the recording requirement was imposed because without it, users were "unable to make calls that encounter interactive menus or other recorded messages or must frequently place a succession of calls to leave a message with, or access the information provided by, such systems").

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
Privacy Screen 47 C.F.R. § 64.604(a)(6)	--	Sorenson's call management system does not allow VIs to use privacy screens. Sorenson's policy is to require VRS VIs to disconnect a VRS call if either the calling or called party employs a privacy screen or similar feature for more than five minutes or is otherwise unresponsive for more than five minutes, except in the case of a 911 call or in circumstances where the calling or called party has legitimately been placed on hold. Sorenson's policy requires VRS VIs to disconnect calls in these circumstances only after announcing the upcoming disconnection.
International Calls 47 C.F.R. § 64.604(a)(7)	--	Sorenson's policy is to not seek compensation for VRS calls that originate from an international IP address, with the exception of calls made by a U.S. resident who has pre-registered with Sorenson prior to leaving the country, as required under the FCC's rules.
Speed of Answer for VRS 47 C.F.R. § 64.604(b)(2)(iii)	--	As reflected in its monthly data submissions to the Fund administrator, Sorenson's VRS complies with the current speed-of-answer requirement that 80% of all calls are answered within 120 seconds measured on a monthly basis. ¹³
24/7 Operations 47 C.F.R. § 64.604(b)(4)(i)	--	Sorenson VRS is available twenty-four hours per day, seven days per week. Sorenson's equipment has the technical capacity to handle up to ***BEGIN CONFIDENTIAL*** <div style="background-color: black; width: 150px; height: 1.2em; margin: 2px 0;"></div> ***END CONFIDENTIAL*** Sorenson also has the ability to scale these capacities upwards to meet growing demand.
Redundancy 47 C.F.R. § 64.604(b)(4)(ii)	--	Sorenson's operations include multiple redundancy features and safeguards, including emergency generators to ensure uninterruptable power for emergency use.

¹³ *Sorenson Commc'ns, Inc. v. FCC*, 765 F.3d 37, 52 (D.C. Cir. 2014).

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
At-Home Interpreting 47 C.F.R. §§ 64.604(b) (8)	--	Sorenson's policy is to permit its qualified VRS VIs to relay calls from home workstations (or from any location other than a Sorenson call center) to the extent it is permitted by law. ¹⁴

¹⁴ See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of Video Relay Service Program*, Order, 35 FCC Rcd 2715 (CGB 2020) (“*March 16 TRS Waiver Order*”) (temporarily granting conditional waivers of (1) certain regulations governing at-home VRS call handling and (2) speed-of-answer requirements for other forms of TRS); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of Video Relay Service Program*, Order, 35 FCC Rcd 3018 (CGB 2020) (“*April 3 TRS Waiver Order*”) (temporarily waiving rule prohibiting VRS providers from contracting for interpretation services with non-VRS certified entities); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program*, Order, 35 FCC Rcd 4894 (CGB 2020) (“*May 14 TRS Waiver Order*”) (extending and modifying previously granted COVID-19 waivers); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of Video Relay Service Program*, Order, 35 FCC Rcd 6432 (CGB 2020) (“*June 22 TRS Waiver Order*”) (extending previously granted COVID-19 waivers); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of Video Relay Service Program*, Order, 35 FCC Rcd 9783 (CGB 2020) (“*August 26 TRS Waiver Order*”) (extending all previously granted COVID-19 waivers through Nov. 30, 2020); *Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of Video Relay Service Program*, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, 35 FCC Rcd 10866, 10892 ¶ 54 (2020) (“*Oct 2 TRS Waiver Order*”) (extending previously granted COVID-19 waivers through Feb. 28, 2021); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure & Practices of the Video Relay Service Program*, Order, DA No. 21-195, CG Docket Nos. 03-123, 10-51 (CGB rel. Feb. 18, 2021) (extending waivers until August 31, 2021); *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure & Practices of the Video Relay Service Program*, Order, DA No. 21-1064, CG Docket Nos. 03-123, 10-51 (CGB rel. Aug. 27, 2021) (extending waivers until Dec. 31, 2021).

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
Caller ID 47 C.F.R. § 64.604(b)(6)	--	On all VRS calls that originate with a Sorenson VRS customer, Sorenson's policy is to pass through the number of the iTRS facility, 711, or the calling party's number—except where the calling party has requested to block caller ID.
Complaint Logs and Procedures 47 C.F.R. §§ 64.604(c)(1)&(6); 64.606(a)(2)(iii)	--	Sorenson's policy is to maintain logs of all complaints it receives that allege violations of the federal TRS mandatory minimum standards. The logs include the date the complaint was filed, the nature of the complaint, the date of resolution, and the nature of resolution. Sorenson's policy is to annually submit to the FCC a summary of its complaint logs. Sorenson's complaint procedures are detailed in Section XI below.
Complaint Contact Point 47 C.F.R. § 64.604(c)(2)	--	Sorenson's contact person for iTRS consumer information and complaints is: Michael D. Maddix Director of Government and Regulatory Affairs 4192 South Riverboat Road Salt Lake City, UT 84123 Voice: (801) 287-9461 Fax: (801) 287-9401 Email: mmaddix@sorenson.com
Publicity re iTRS 47 C.F.R. § 64.604(c)(3)	--	Sorenson, through its website as well as through social media, conducts marketing to educate the public about the existence of its services. Sorenson also educates the public, especially businesses, regarding VRS.
Rates 47 C.F.R. § 64.604(c)(4)	--	Sorenson's policy is to not charge its customers anything for its VRS.
Cost Information and Other Data Submissions 47 C.F.R. § 64.604(c)(5)	--	Sorenson's policy is to maintain and submit required cost data and other data to the FCC and to the Fund administrator.

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
Whistleblower Notice 47 C.F.R. § 64.604(c)(5)(iii)(M)	--	Sorenson's policy is to provide a complete description of the iTRS whistleblower protections to all of its employees. Sorenson includes instructions for reporting noncompliance as part of its TRS Compliance Manual, TRS Compliance Training, and employee handbook. This includes the URL and phone number for the FCC's whistleblower hotline.
VRS Service Name 47 C.F.R. § 64.604(c)(5)(iii)(N)(1)(ii)	--	Sorenson's VRS services (known as "Sorenson Relay") and its Spanish-language sub-brand (known as "Sorenson Relay ESPAÑOL") clearly identify Sorenson as the provider of the service.
URL Routing 47 C.F.R. § 64.604(c)(5)(iii)(N)(1)(ii)	--	All of Sorenson's VRS signaling traffic is routed through IP addresses to which Sorenson's URLs (sorenson.com, svrs.tv, svrs.net, svrs2.biz, sorensonvrs.com and sorenson2.biz) resolve.
Contracting 47 C.F.R. § 64.604(c)(5)(iii)(N)(1)(iii)	--	Sorenson's policy is to not contract with or otherwise authorize any third party to provide interpretation services or call center functions for VRS.
Written Contracts 47 C.F.R. § 64.604(c)(5)(iii)(N)(1)(v)	--	To the extent Sorenson subcontracts with a third party to provide services or functions related to VRS, it is Sorenson's policy to execute these contracts in writing. ¹⁵ It currently has no such contracts. Copies of any such contracts would be available to the Commission and the iTRS Fund administrator upon request.
Call Center Reports 47 C.F.R. § 64.604(c)(5)(iii)(N)(2)	--	Sorenson's policy is to file the required call center reports with the FCC and the Fund administrator.

¹⁵ See *Structure and Practices of the Video Relay Service Program*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 5545, 5574 ¶¶ 58-60 (2011).

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
VI Compensation 47 C.F.R. § 64.604(c)(5)(iii)(N)(3)	--	Sorenson's policy is to not compensate, provide preferential work schedules, or otherwise benefit its VRS VIs based on the number of VRS minutes or calls that the VI handles, either individually or as a group.
Remote Training Calls 47 C.F.R. § 64.604(c)(5)(iii)(N)(4)	--	Sorenson acknowledges that it is not entitled to compensation for VRS calls to remote training sessions or comparable activities when it (or its affiliates or related parties) has been involved in any manner with the session or activity. Sorenson's policy is to remove any such minutes from its data submissions before submitting them to the TRS Fund administrator when seeking compensation.
TRS Customer Information 47 C.F.R. § 64.604(c)(7)	Partially vacated ¹⁶	It is Sorenson's policy that neither Sorenson nor its employees sell, distribute, share, or reveal its subscribers' customer profile data unless compelled by law to do so or unless permitted by the Commission's rules.
VRS Non-Discrimination 47 C.F.R. § 64.604(c)(12)	--	Sorenson's policy is to not engage in any practices that qualify as "unjust or unreasonable discrimination" with regard to its provision of VRS service.

¹⁶ *Sorenson Commc'ns, Inc. v. FCC*, 567 F.3d 1215, 1223, 1225-27 (10th Cir. 2009) (ordering FCC to vacate upon remand, on First Amendment grounds, the prohibition on TRS providers using customer data "for lobbying or any purpose" other than the handling of TRS calls).

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
Emergency Call Handling 47 C.F.R. § 9.14; 47 C.F.R. § 64.605	--	<p>Sorenson's policy is to provide emergency calling service in full compliance with the FCC's rules. In the case of VRS, it is Sorenson's policy to provide E911 service to its customers; handle and route emergency calls to the applicable PSAP; immediately attempt to reestablish contact in the event of disconnection; automatically place 911 calls at the front of call queues; and obtain Registered Location information from its customers. Sorenson's policy is to also deliver the following to the PSAP: Sorenson's role as iTRS provider, the ANI, the caller's Registered Location, and the VI's identification number.</p>
Default Provider Registration 47 C.F.R. §§ 64.611(a)-(c)	--	<p>Sorenson's policy is to provide VRS users with the capability to register with Sorenson as their default provider. Sorenson routes and delivers all such users' inbound and outbound calls unless the user chooses to place a call with, or receives a call from, an alternate provider (dial-around). Sorenson's policy is to update the TRS Numbering Directory for users that select Sorenson as their default provider, obtain written self-certifications from VRS users, and submit the required information for its new and existing registered iTRS users to the TRS User Registration Database, as required under the FCC's rules.</p>
Ten-Digit Numbering 47 C.F.R. §§ 64.611(a)(1), (d)	--	<p>For each user that registers with Sorenson as his or her default provider, Sorenson's policy is to either (a) facilitate the user's valid porting request from another provider, or (b) assign the user a geographically appropriate ten-digit number (or, when such numbers are not available in the user's rate center, a geographically approximate ten-digit number). Sorenson's policy is to not assign or issue proxy numbers to TRS users.</p> <p>For access to ten-digit numbers to assign to its subscribers, Sorenson contracts with ***BEGIN CONFIDENTIAL*** <div style="background-color: black; width: 100%; height: 1.2em; margin: 2px 0;"></div> ***END CONFIDENTIAL***</p>

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
Toll-Free Numbering 47 C.F.R. § 64.611(e)(1)	--	Sorenson no longer assigns toll-free numbers to its VRS users, and either terminated former numbers or transitioned ownership to the registered user who maintains the number with a toll-free service provider.
CPE 47 C.F.R. § 64.611(f)	--	The CPE that Sorenson provides to VRS users delivers routing information only to the user's default provider, except to the extent necessary to complete dial-around calls.
User Notification re Ten-Digit Numbering and Toll-Free Numbering 47 C.F.R. § 64.611(g)	--	<p>It is Sorenson's policy that its website and promotional materials related to numbering or E911 service include an advisory addressing (a) the process for obtaining a ten-digit number, (b) number portability, and (c) the process for updating Registered Location information.</p> <p>At the time it transitioned customers from Sorenson-provisioned toll-free numbers, Sorenson prepared and posted an advisory explaining the process by which an iTRS user could acquire a toll-free number and request that a toll-free number be linked to the user's ten-digit number in the TRS Numbering Directory. That option remains available to VRS users.</p>
Speech-to-Speech Service	Waived ¹⁷	--
No Incentives to Use VRS 47 C.F.R. § 64.604(c)(8)(v)	--	Sorenson's policy prohibits its officers, directors, employees, contractors, and agents from offering or providing to any person or entity that registers to use VRS any form of direct or indirect incentives, financial or otherwise, to register for or use VRS, as those are defined in FCC 19-39, ¶¶ 33–36 and DA 20-739, to the extent those paragraphs set forth a discernable legal standard.

¹⁷ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, FCC Rcd 9449, 9457 ¶ 20 (2011) (“2011 Waiver Order”).

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
Interoperability 47 C.F.R. § 64.621	--	<p>Sorenson's users are able to place and receive calls through any of the VRS providers' services, and Sorenson can receive calls from, and make calls to, any VRS user, to the extent it is technically possible. Sorenson actively participates with all other VRS providers and MITRE in regularly testing endpoints and services to ensure interoperability and a user's unfettered access to another provider's service. Sorenson completed implementation of the SIP Profile before December 20, 2017. The FCC suspended the April 29, 2020 deadline for VRS provider compliance with the RUE Profile until further notice.¹⁸</p>
Verification and Processing of Orders for Change of Default TRS Providers 47 C.F.R. §§ 64.631, 64.632	--	<p>It is Sorenson's policy not to initiate or implement default-provider changes unless and until it has obtained the iTRS user's written or electronically signed authorization in a form that meets the requirements of 47 C.F.R. § 64.632.</p> <p>If a user wishes to change his or her default provider for separate iTRS services, it is Sorenson's policy to obtain separate authorizations for each service as required by 47 C.F.R. § 64.631(b).</p> <p>It is Sorenson's policy to implement an iTRS user's default-provider change order within 60 days of obtaining the signed letter of agency.</p> <p>It is Sorenson's policy to follow the requirements of 47 C.F.R. § 64.631(f) in the event that it acquires, through a sale or transfer, either part or all of another iTRS provider's iTRS user base without obtaining each user's individual consent.</p>

¹⁸ *Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order on Reconsideration and Order Suspending Compliance Deadline*, 35 FCC Rcd 1878 ¶ 2 (2020).

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
Maintenance of Service After Porting Request 47 C.F.R. § 64.631(e)	--	When a Sorenson user has submitted a request to change the user's default provider, it is Sorenson's policy not to reduce the level or quality of service provided to that user or reduce the functionality of any VRS access technology provided by Sorenson to the user until the transition is complete.
Impermissible Use of CPNI 47 C.F.R. §§ 64.5105, 5107, 5108, 5109, 5110	--	Sorenson has adopted a detailed policy governing the use of CPNI in order to ensure compliance with the Commission's CPNI rules. As required by 47 C.F.R. § 5109(e), Sorenson is attaching its annual CPNI compliance certification, which includes a statement explaining how Sorenson's operating procedures ensure that it is in compliance with the CPNI rules.
Hearing User Number Assignment 47 C.F.R. § 64.611(a)(5)	--	<p>Before assigning an iTRS telephone number to a hearing user, Sorenson's policy is to obtain from the hearing user the information and certification required by 47 C.F.R. § 64.611(a)(5)(i). Sorenson's policy is to maintain the confidentiality of this information and certification except as otherwise required by law or regulation. 47 C.F.R. § 64.611(a)(5)(vii).</p> <p>Sorenson's policy is to submit monthly to the TRS Administrator a list of the ten-digit numbers assigned to hearing users.</p> <p>Sorenson's policy is to not seek compensation from the TRS Fund for any VRS calls to or from such hearing user iTRS numbers. 47 C.F.R. § 64.611(a)(5)(ix).</p>

STANDARD	WAIVED	SORENSEN'S COMPLIANCE
<p>Prohibited Practices</p> <p>47 C.F.R. § 64.604(c)(13)</p>	<p>--</p>	<p>Sorenson's policy is to not engage in any practice that it knows or has reason to know will cause or encourage false or unverified claims for TRS Fund compensation, unauthorized use of VRS, the making of VRS calls that would not otherwise be made, or the use of VRS by persons who do not need the service in order to communicate in a functionally equivalent manner.</p> <p>Moreover, Sorenson has developed and continues to review and strengthen its regulatory compliance plan that includes policies, procedures, and practices for complying with the Communications Act, TRS Rules, and Commission Orders (together, "FCC Rules") and preventing fraud, waste, and abuse of the TRS fund.¹⁹</p> <p>If Sorenson determines that one or more of its employees have committed a violation, the company's policy is to take appropriate disciplinary action. If Sorenson knows that minutes are not eligible for compensation for any of the above listed reasons, or because an individual does not need VRS to communicate in a functionally equivalent manner, Sorenson's policy is to not seek payment from the TRS Fund. And if Sorenson becomes aware that any of the above-listed practices are being or have been committed by any person, Sorenson's policy is to, as soon as practicable, report such practices to the Commission or TRS Fund Administrator.</p>

¹⁹ Although FCC rules do not require that VRS providers include a compliance plan as part of their annual report, Sorenson is voluntarily providing its internal regulatory compliance plan, which is attached as Addendum 2 to this report and updates Addendum 1 to Sorenson's Update and Verification.

IV. VRS Call Center Leases

A. Leases for U.S. Call Centers (47 C.F.R. § 64.606(a)(2)(ii)(A)(2))

As required by 47 C.F.R. § 64.606(a)(2)(ii)(A)(2), copies of the leases for a representative sampling of Sorenson's U.S. VRS call centers were attached as Exhibits 2–6 to Sorenson's December 2, 2011 Certification Application. The sample includes the Sorenson call centers located in Sacramento, CA; Tucson, AZ; Kansas City, KS; Tampa, FL; and Portland, ME. Sorenson filed updated leases for these call centers with its December 2013 application update. Sorenson filed further updated leases for its call centers located in Tampa, FL, and Sacramento, CA, with its December 2015 application update; an updated lease for its call center located in Kansas City, KS, in its December 2016 application update; further updated leases for its call centers located in Tampa, FL and Tucson, AZ in its December 2017 application update; further updated leases for its call centers located in Kansas City, KS, Sacramento, CA, and Portland, ME in its December 2018 application update; and herein updates its leases to include Philadelphia, PA.²⁰ Sorenson hereby incorporates these leases by reference.

B. Leases for Call Centers Outside of the United States (47 C.F.R. § 64.606(a)(2)(ii)(A)(3))

As required by 47 C.F.R. § 64.606(a)(2)(ii)(A)(3), copies of the leases for all of Sorenson's VRS call centers located outside of the United States were attached as Exhibits 7–14 to Sorenson's December 2, 2011 Certification Application. Sorenson's non-U.S. call centers at that time were located in the following cities (all in Canada): Victoria, BC; Vancouver, BC;

²⁰ Sorenson's 2020 application included the lease for the Portland, ME call center. This call center was closed on or around August 7, 2021. *See* Sorenson Notice of Call Center Closing (June 21, 2021).

Calgary, AB; Edmonton, AB; Winnipeg, MB; Ottawa, ON; Toronto, ON; and Halifax, NS.

Sorenson filed updated leases for its call centers in Vancouver, Winnipeg, Ottawa, and Halifax in its December 2013 application update, and submitted updated leases for its call centers in Toronto, Victoria, and Winnipeg, as Exhibits 5–7 to the December 2014 updated application. In addition, in 2014 Sorenson opened a new VRS call center, also in Canada, in Langley, BC, and submitted a copy of this lease as Exhibit 8 to the December 2014 updated application. Sorenson filed a further amended lease for its call center in Calgary, AB, as Exhibit 7 to its December 2015 updated application; amended leases for its call centers in Edmonton AB, and Vancouver, BC, as Exhibits 6 and 7 to its December 2016 updated application; an amended lease for its call center in Victoria, BC as Exhibit 7 to its December 2017 updated application; an updated lease for its call center in Halifax, NS as Exhibit 8 to its December 2018 updated application, and an amended lease for its call center in Winnipeg, MB to its December 2019 updated application. In its December 2018 updated application, Sorenson also noted the June 30, 2017 closing of its call center in Ottawa, ON. Sorenson closed its call center in Calgary, AB on July 2, 2020, and its call center in Edmonton, AB on or around September 1, 2021.²¹ Sorenson hereby incorporates the leases filed with its December 2011 application, December 2013 updated application, December 2014 updated application, December 2015 updated application, December 2016 updated application, December 2017 updated application, December 2018 updated application, December 2019 updated application, December 2020 updated application, and December 2021 updated application by reference.

²¹ See Sorenson Notice of Call Center Closing (July 1, 2021).

C. List of Call Center Leases (47 C.F.R. § 64.606(a)(2)(ii)(A)(2))

As required by 47 C.F.R. § 64.606(a)(2)(ii)(A)(2), a list of all of Sorenson's VRS call centers including the information required by 47 C.F.R. § 64.604(c)(5)(iii)(N)(2) is attached as Exhibit 1.

V. Description of Technology and Equipment Used to Support VRS Call Center Functions (47 C.F.R. § 64.606(a)(2)(ii)(A)(4))

A. Description of Technology and Equipment (47 C.F.R. § 64.606(a)(2)(ii)(A)(4))

Sorenson's VRS call center functions utilize the following technology and equipment:

- VIs' Desktop Computers and Monitors. A desktop computer and a monitor are installed at every VI's workstation to allow the VI to manage and service VRS calls.
- VIs' Desktop Televisions. A television is installed at every VI's workstation and connected to the VI's videophone to allow the VI to see the VRS user on the call.
- VIs' Videophones. A Sorenson videophone is installed at every VI's workstation to allow the VI to communicate with the VRS user over a video link.
- VIs' Telephone Handsets. A telephone handset is installed at every VI's workstation to allow the VI to speak with the hearing party.
- Custom Call Management Client. Sorenson employs a call management software system that the company developed in-house to manage call flow and routing. It is installed on every VI's desktop computer.
- Automatic Call Distribution ("ACD") Servers. Sorenson's ACD servers manage inbound call queues and route VRS calls within and among Sorenson's VRS call centers. (In the documentation attached to Sorenson's December 2, 2011 Certification Application at Exhibit 16, these servers are referred to as "session border controllers.")
- Billing Servers. Sorenson's billing servers house the billing databases that store all VRS call data, including time stamps and the identity of the VI and call center that handled the call.

- Storage Area Networks (“SAN”). Sorenson’s SAN are highly redundant storage hardware housed in collocation facilities used to warehouse billing, registration, and call data.
- Uninterruptible Power Supply (“UPS”). Sorenson’s UPS utilizes battery resources that are engaged to keep production infrastructure online in the event of a power outage or surge.
- Switches. These are network components used to connect servers to each other, to disk resources, and to network resources.
- Routers. These are network components used to manage transmission control protocol/Internet protocol (“TCP/IP”) traffic, including internal data traffic and traffic bound to or from the Internet.
- Firewall. Sorenson’s firewall is a combined hardware and software network component that prevents unauthorized network access to Sorenson infrastructure.
- Load Balancer. Sorenson’s load balancer assesses servers’ current load levels and directs incoming and outgoing network communications to the server with the lowest current load, thereby ensuring the fastest response time.
- Call Managers. Sorenson’s call managers are pieces of telephony equipment that allow the VI to manage inbound and outbound telephone conversations with the hearing party.

B. Technology and Equipment in U.S. VRS Call Centers (47 C.F.R. § 64.606(a)(2)(ii)(A)(6))

Section 64.606(a)(2)(ii)(A)(6) of the Commission’s rules requires providers operating more than five VRS call centers within the United States to provide a copy of each proof of purchase, lease, or license agreement for technology and equipment used to support call center functions in a representative sampling of five call centers within the United States. Section 64.606(a)(2)(ii)(A)(4) of the Commission’s rules requires providers to include a statement indicating whether such technology and equipment is owned, leased, or licensed.

The call center sample Sorenson has selected mirrors the sample it selected for purposes of providing call center leases, as reflected in Section IV.A above. The technology and

equipment documentation for these call centers was attached to Sorenson's December 2, 2011 Certification Application at Exhibit 16, and was supplemented and revised in the February 2014 updated application and Exhibit 4 thereto, in Exhibit 9 of the December 2014 updated application, in Exhibit 8 to the December 2015 updated application, in Exhibit 8²² to its December 2016 updated application, in Exhibit 8 to its December 2017 updated application, in Exhibit 9 to its December 2018 updated application, in Exhibit 6 to its December 2019 updated application, in Exhibit 5 in its 2020 updated application, and in Exhibit 6 in its 2021 updated application. Sorenson hereby incorporates those Exhibits (subject to the aforementioned revision) by reference. In addition, Sorenson submits as Exhibit 5 to this updated Application further updates to its technology and equipment documentation.

**C. Technology and Equipment in Non-U.S. VRS Call Centers (47 C.F.R.
§ 64.606(a)(2)(ii)(A)(7))**

Section 64.606(a)(2)(ii)(A)(7) of the Commission's rules requires providers to submit a copy of each proof of purchase, lease, or license agreement for technology and equipment used to support call center functions in each VRS call center located outside of the United States. Section 64.606(a)(2)(ii)(A)(4) of the Commission's rules requires providers to include a statement indicating whether such technology and equipment is owned, leased, or licensed.

As noted above in Section IV.B above, all of Sorenson's non-U.S. VRS call centers are located in Canada. The technology and equipment documentation for these call centers is included in Exhibit 16 to the December 2011 Certification Application, as explained in Section

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V.B above. Sorenson supplemented this Exhibit 16 with Exhibit 4 to the February 2014 updated application, Exhibit 9 to the December 2014 updated application, Exhibit 8 to the December 2015 updated application, Exhibit 8²³ to its December 2016 updated application, Exhibit 8 to its December 2017 updated application, Exhibit 9 to its December 2018 updated application, and Exhibit 6 to its December 2019 updated application. In addition, Sorenson submits as Exhibit 5 to this updated Application further updates to its technology and equipment documentation. With the exception of software licenses (included in the records contained in 2011's Exhibit 16), Sorenson owns all of the technology and equipment used to support its call center functions.

D. ACD Lease or License Agreement (47 C.F.R. § 64.606(a)(2)(ii)(A)(8))

Sorenson has developed its own custom-built ACD system. Accordingly, there is no ACD lease or license agreement to submit.

VI. Entities with Ownership/Control Interests (47 C.F.R. § 64.606(a)(2)(ii)(B))

Section 64.606(a)(2)(ii)(B) of the Commission's rules requires applicants to list all "individuals or entities that hold at least a 10 percent equity interest in the applicant, have the power to vote 10 percent or more of the securities of the applicant, or exercise de jure or de facto control over the applicant."

Sorenson, a Utah-organized limited liability company, is wholly owned and controlled by SCI Holdings, LLC ("SCI Holdings"), a Delaware-organized limited liability company. SCI Holdings is wholly owned and controlled by Sorenson Holdings, LLC ("Sorenson Holdings"), a Delaware-organized limited liability company. Sorenson Holdings is wholly owned and

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controlled by Delaware-organized limited liability company Inclusive Language Services, LLC (“ILS”). ILS is indirectly controlled by Ariel, which indirectly owns and controls approximately 52.5 percent of the voting and equity interests in ILS.

Ariel is an affiliate of Ariel Investments, LLC (“Ariel Investments”) and Ariel Alternatives, LLC (“Ariel Alternatives”), both of which are Delaware-organized limited liability companies. Founded in 1983, Ariel Investments is a global value-based asset management firm.²⁴ Launched in February 2021, Ariel Alternatives is a private asset management firm affiliated with Ariel.²⁵ Ariel Alternatives’ mission is to scale sustainable minority-owned business enterprises. The address for Ariel, Ariel Investments, and Ariel Alternatives currently is 200 E. Randolph Street, 29th Floor, Chicago, Illinois, and its telephone number is (312) 612-2600.²⁶

Ariel holds its interest in ILS through two Ariel-affiliated investment funds, Project Black Fund, LP (“Project Black Fund”), a Delaware-organized limited partnership, and Project Black Coordinated Participation Fund, LP (“PBCP Fund”), also a Delaware-organized limited partnership. Collectively, the two funds hold an approximately 52.5 percent direct voting and equity interests in ILS. Ariel Alternatives²⁷ serves as the investment advisor to both Project Black Fund and PBCP Fund.

²⁴ See Ariel Investments, <https://www.arielinvestments.com/> (last visited Dec. 7, 2021).

²⁵ See Ariel Alternatives, *About Ariel Alternatives’ Project Black*, <https://arielalternatives.com/about/> (last visited Dec. 7, 2021); Ariel Alternatives, *Form ADV, Part 2A*, <https://www.arielinvestments.com/adv2> (last visited Dec. 7, 2021).

²⁶ Within the coming year, Ariel Alternatives will be relocating its offices to New York City.

²⁷ See Ariel Alternatives, *Form ADV, Part 2A*, <https://www.arielinvestments.com/adv2> (last visited Dec. 7, 2021).

The sole general partner of the Project Black Fund is Project Black GP, LP (“Project Black GP”), a Delaware-organized limited partnership, and the sole general partner of the PBCP Fund is Project Black Coordinated Participation Fund GP, LP (“PBCP GP”), a Delaware-organized limited partnership. Ariel is the sole general partner of both Project Black GP and PBCP GP. The limited partner investors in Project Black Fund, PBCP Fund, Project Black GP, and PBCP GP hold no material voting interests in these limited partnerships, and no single such limited partner investor will hold a direct or indirect aggregate voting or equity interest in Sorenson of 10 percent or more.

The sole member of Ariel is Ariel Investments, which wholly owns and controls Ariel. Two U.S. citizens control Ariel Investments: John W. Rogers, Jr. and Mellody Hobson. Through their direct interest in Ariel Investments and through their interests in Ariel Capital Management Holdings, Inc. (“Ariel Capital”), an Illinois corporation that holds an approximately 47 percent interest in Ariel Investments, Mr. Rogers and Ms. Hobson collectively hold an approximately 70 percent interest in Ariel Investments. No other individual or entity holds a direct or indirect aggregate 10 percent or greater voting or equity interest in Ariel Investments, or in Sorenson through Ariel Investments, and more than 99 percent of Ariel Investments is held by U.S. individuals or entities.

Ariel controls, and Project Black Fund and PBCP Fund hold, approximately 52.5 percent of the issued and outstanding voting equity of ILS, which, in turn, wholly owns and controls Sorenson Holdings and therefore Sorenson. This voting control of ILS provides Ariel with *de jure* and *de facto* control of Sorenson. As the holder of a majority of ILS’ voting equity, Ariel holds the exclusive right to appoint a majority of ILS’ board of managers, as well as the Chairman of ILS’ board. The ILS board of managers, in turn, exclusively controls the business

and affairs of ILS, including control of ILS' controlling interest in Sorenson Holdings and Sorenson.

There are two non-controlling minority interest holders in ILS that hold aggregate direct or indirect equity and voting interests of at least 10 percent:

- Certain funds managed or advised by Blackstone Alternative Credit Advisors LP Credit L.P., formerly known as GSO Capital Partners LP, *****BEGIN**

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- Certain investment funds for which Franklin Mutual Advisers LLC acts as an investment advisor *****BEGIN CONFIDENTIAL*****

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A copy of a diagram presenting Sorenson's organizational structure is attached as Exhibit 2.

VII. Description of Organizational Structure (47 C.F.R. § 64.606(a)(2)(ii)(B))

Section 64.606(a)(2)(ii)(B) of the Commission's rules requires applicants to describe their organizational structure. A copy of a diagram presenting Sorenson's organizational structure was originally attached as Exhibit 17 to Sorenson's December 2, 2011 Certification Application. Sorenson includes as Exhibit 2 to this updated Application a revised ownership structure diagram.

VIII. Names of Executives, Officers, Members of Board (47 C.F.R. § 64.606(a)(2)(ii)(B))

Section 64.606(a)(2)(ii)(B) of the Commission's rules requires applicants to provide "the names of its executives, officers, members of its board of directors, general partners (in the case

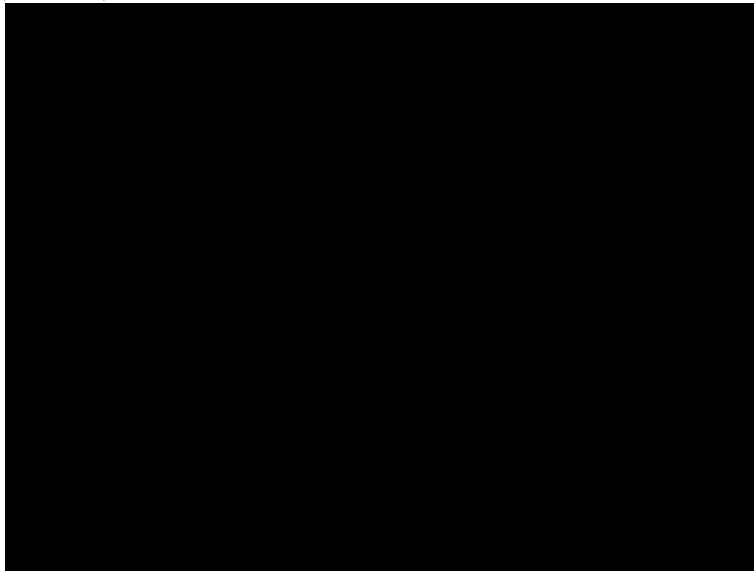
of a partnership), and managing members (in the case of a limited liability company).”

Sorenson is indirectly controlled by ILS. The names of the executives, officers, and board members of Sorenson and ILS are included in Exhibit 3.

IX. Number of VRS Employees (47 C.F.R. § 64.606(a)(2)(ii)(C))

Section 64.606(a)(2)(ii)(C) of the Commission’s rules requires applicants to provide “a list of the number of applicant’s full-time and part-time employees involved in TRS operations, including and divided by the following positions: executives and officers; video phone installers, communications assistants, and persons involved in marketing and sponsorship activities.” The requested information for Sorenson’s VRS operations follows (as of November 1, 2021):

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²⁸ As shown in Exhibit 3, eleven executives have responsibilities for both Sorenson’s VRS and CaptionCall’s IP CTS.

²⁹ The number included in this chart includes only those VIs who were active, as reflected in payroll records, during November 2021 and prior to November 2, 2021. Exhibit 1 may include VIs who were not active in November prior to November 2, 2021.

X. List of Sponsorship Agreements (47 C.F.R. § 64.606(a)(2)(ii)(E))

Section 64.606(a)(2)(ii)(E) of the Commission’s rules requires applicants to provide “a list of all sponsorship arrangements relating to Internet-based VRS including on that list a description of any associated written agreements.” A copy of Sorenson’s list of sponsorship agreements between November 1, 2020 and September 30, 2021 is attached as Exhibit 4. For each sponsorship agreement on the list, there is a written document, ranging from a one-page email for simple sponsorships to documents a few pages long for more extensive sponsorships, specifying the amount of the contribution and the terms under which the contribution will be made.

XI. Description of Complaint Procedures (47 C.F.R. § 64.606(a)(2)(iii))

Sorenson directs users and employees to report complaints through the email address vrscomments@sorenson.com or by dialing 1-801-386-8500. Sorenson applies the following process to complaints it receives related to its services.

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I [REDACTED]

I [REDACTED]

I [REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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XII. Statement Regarding Annual Compliance Reports (47 C.F.R. § 64.606(g))

Pursuant to 47 C.F.R. § 64.606(g), Sorenson states that it will file annual compliance reports demonstrating continued compliance with the Commission’s rules governing Telecommunications Relay Service.

XIII. At-Home Call Handling Program

Pursuant to 47 C.F.R. § 64.606(g) (5), Sorenson provides the following information

regarding its at-home call handling program.³⁰ ***BEGIN CONFIDENTIAL***

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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XIV. Certification

Pursuant to 47 C.F.R. § 64.606(a)(2)(v), the declaration of Steven Fredley is attached as an addendum to this submission.

XV. List of Exhibits

Sorenson is submitting the following addenda and exhibits:

- Addendum 1 Declaration of Steven Fredley
- Addendum 2 Sorenson and CaptionCall Regulatory Compliance Plan
- Addendum 3 Sorenson and CaptionCall CPNI Certification and Statement of Operating Procedures
- Exhibit 1 Call Center List
- Exhibit 2 Organizational Structure
- Exhibit 3 Directors and Officers List
- Exhibit 4 Sponsorship List
- Exhibit 5 Updated Call Center Technology
- Exhibit 6 Updated Call Center Leases

³⁰ The numbers report in Section XIII reflect VIs participating in Sorenson's permanent at-home call handling program. They do not include the numbers for VIs working temporarily from home under the FCC's COVID-19 waivers.

XVI. Conclusion

Sorenson has demonstrated compliance with the requirements for certification. Moreover, consumers are best served by certifying Sorenson, as owned and controlled by Ariel, to continue providing VRS. The application should be granted.

Respectfully submitted,

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202.730.1301

Counsel to Sorenson Communications, LLC

Date: [[DATE]], 2021

ADDENDUM 1

DECLARATION OF STEVEN FREDLEY
CHIEF COMPLIANCE OFFICER & DEPUTY GENERAL COUNSEL
OF SORENSON COMMUNICATIONS, LLC

Pursuant to 47 C.F.R. § 64.606(a)(2)(v), I declare under penalty of perjury that I am Steven Fredley, Chief Compliance Officer and Deputy General Counsel of the above-named applicant, and that I have examined the foregoing submissions, and that all information required under the Commission's rules and orders has been provided and all statements of fact, as well as all documentation contained in this submission, are true, accurate, and complete to the best of my knowledge.

By: _____
Steven Fredley
Chief Compliance Officer & Deputy
General Counsel
Sorenson Holdings, LLC

Date: _____

ADDENDUM 2

SORENSEN AND CAPTIONCALL REGULATORY COMPLIANCE PLAN

As a provider of Telecommunications Relay Services (“TRS”), Sorenson Communications LLC and CaptionCall, LLC (the “Company”) are committed to full and complete compliance with the rules and regulations of the Federal Communications Commission (“FCC”). This Regulatory Compliance Plan (“Plan”) describes the Company’s policies, procedures, and practices for complying with the Communications Act (47 U.S.C. §§ 151 *et seq.*), TRS Rules (47 C.F.R. § 64.601 *et seq.*), and the FCC’s *Report and Order and Further Notice of Proposed Rulemaking*, dated June 10, 2013 (¶ 134) (together “FCC Rules”).

Compliance Department

The Company’s Compliance Department is overseen by the Company’s Chief Compliance Officer and Director of Compliance. The Chief Legal Officer chairs the Compliance Committee and is the senior officer responsible for implementing and overseeing compliance with FCC rules and this Plan. The Compliance Department develops, produces, and maintains compliance tools, reports, plans, tasks, and activities for the management of the Plan and meets regularly to ensure the compliance needs of the Company are met. The Compliance Department:

- Develops and maintains compliance policies, procedures, training materials, and compliance records;
- Performs compliance analysis and leads the development, production, and maintenance of reporting methods to detect and address compliance-related issues;
- Works with department executives to ensure knowledge of and compliance with FCC rules and the development of compliant Company policies and procedures;
- Prepares reports about compliance with Company policies and FCC rules;
- Investigates and reports compliance-related concerns to management; and
- Monitors any corrective or preventive actions related to compliance.

The Compliance Department has the authority to monitor ongoing Company activities as they relate to FCC rules, and has unlimited access to all Company files, records, and information needed to fulfill its responsibilities. This includes the right to interview Company employees in connection with potential instances of noncompliance. The Compliance Department has access to sufficient internal and external resources to execute its compliance duties, including in-house and outside counsel.

The Company’s Compliance Committee is composed of department executives from across the Company, including engineering, information systems, operations, outreach, marketing, finance, and in-house counsel. The committee meets regularly to review any FCC-related issues, including regulatory changes and any compliance related policies or procedures.

Compliance Manual

With the assistance of counsel, the Compliance Department has developed and adopted a TRS Compliance Manual (“Compliance Manual”). The Compliance Manual is distributed to all

Company personnel in conjunction with the Company's annual FCC compliance training. An electronic copy of the Compliance Manual is also posted on the Company's internal intranet site in the compliance section and accessible by all Company employees. The Compliance Department has responsibility for revising and updating the Compliance Manual, in consultation with in-house and outside counsel, to maintain compliance with all FCC rules.

Compliance Training

Working with the necessary Company departments, the Compliance Department has developed and implemented training about the Company's Compliance Manual and department-specific policies and procedures for compliance with FCC rules. The Chief Compliance Officer reviews and approves all training materials, ensures all training is completed, and coordinates training updates to address any changes to FCC rules or Company policies and procedures.

Annual Employee Training:

The Company requires all employees to complete compliance training annually. The training is conducted online through the Company's learning management system. Upon completion of the training, employees sign an electronic acknowledgment indicating receipt of the Compliance Manual and completion of compliance training. The acknowledgements are tracked and maintained by the Company.

New Hire Training:

All new employees receive compliance training within thirty (30) days of their start date. For every hiring period, the Company's human resources manager provides the Compliance Department a list of new employees. The list includes each new employee's start date, the employee's department, and the employee's supervisor. The Compliance Department maintains that information in order to track the completion of new-hire compliance training, which is conducted online through the Company's learning management system.

Training Updates:

The Compliance Department coordinates training of employees when a rule change impacts TRS services. If necessary to address the rule change, the Compliance Department identifies the affected departments and works with the departments to modify existing policies and procedures or create new ones. The Compliance Department reviews and approves all new FCC-related policies and procedures. The Compliance Department ensures that departments impacted by the new policy or procedure train their staff accordingly.

Compliance Reporting Mechanisms

The Company has several mechanisms for employees to report noncompliance with FCC rules, including any fraud, waste, or abuse. Each of these is described in the Compliance Manual and Whistleblower Policy and also is explained to employees as part of their annual compliance training.

To report any compliance concern, employees may contact their department supervisor or

executive officer, who are then instructed to contact the Compliance Department. Alternatively, employees may contact an “Ethics Hotline” anonymously through a toll-free number. Employees may also email the Compliance Department directly via a dedicated email address. The Compliance Department monitors the ethics hotline and the compliance email inbox. The Director of Compliance is responsible for responding to concerns, including elevating them to the Chief Compliance Officer, Chief Legal Officer, and/or the Compliance Committee, as appropriate.

The Compliance Manual and Whistleblower Policy informs employees that they have the right to report compliance concerns to the FCC’s Office of Inspector General and provides the website address and hotline phone number to make such reports.

The Company does not tolerate retaliatory conduct. Employees are informed in the Compliance Manual, Whistleblower Policy, and in their training that the Company will never take action against employees for reasonably reporting information related to potential compliance violations.

Monitoring and Auditing Compliance with FCC Rules

The Compliance Department regularly monitors and audits Company departments regarding compliance with FCC rules and will make any necessary changes to the Compliance Plan in response to these evaluations. The following describes the Company’s (1) monthly review and audit of minutes for submission to the TRS Fund Administrator and (2) review process for departmental compliance.

(1) Monthly Review of Minutes

Each month, the Company conducts a multi-department (Finance, Engineering, IT, Outreach, and Compliance) review of that month’s billing submission prior to its submission to the TRS Fund Administrator. As part of this monthly review process, members of the Company’s billing team ensure the billing submission conforms with the FCC’s rules and the TRS Fund Administrator’s instructions. The IT and engineering departments maintain detailed operating procedures that document the monthly submission preparation and review process.

(2) Compliance Department Audits

The Compliance Department is responsible for conducting compliance reviews to help minimize risk to the organization and strengthen internal controls. The internal audit process: (1) identifies risks within departments that relate to compliance with FCC rules; (2) ensures that departments have specific procedures in place to comply with relevant FCC rules; (3) reviews department activities to ensure that procedures and processes are being followed; (4) provides feedback and remedial action items following the reviews; and (5) monitors and enforces completion of action items. The Compliance Department conducts periodic reviews of all departments.

Compliance Policies, Procedures, and Practices

The Company is committed to compliance with FCC rules. To effectuate this commitment, the

Company has developed and implemented its Compliance Manual as well as a comprehensive and robust set of policies and procedures to prevent waste, fraud, and abuse of the TRS Fund.

The Compliance Manual describes the Company's commitment to compliance and its expectation that all employees will do their part. The manual describes permitted and prohibited activities in the following areas: working with customers, providing TRS services, determining qualifying calls, providing equivalent and innovative services, and reporting and record keeping.

The Company's policies and operating procedures detail the specific requirements that each department must follow to comply with FCC rules. All policies are maintained on the Company's internal intranet site, where employees have access to the policies and procedures applicable to their department. FCC-related policies are reviewed by the Compliance Department and Company counsel. The TRS policies cover a variety of topics, with detailed operating procedures implementing the policies. The following are examples of these topics: customer data access and use, whistleblower, CPNI, user registration, verification and certification, and prohibitions against incentives.

The Compliance Department in coordination with Company counsel monitors developments in FCC rules and evaluates whether those developments require a modification to the Company's policies and procedures. If a change is required, the Compliance Department identifies the affected departments and works with them to modify or create a policy or procedure to address the rule change. The Compliance Department reviews new policies and procedures, and as needed works with in-Company counsel to ensure the new policy or procedure appropriately addresses FCC rules.

Enforcement of Compliance Plan

If the Company determines that one or more of its employees have engaged in conduct that violates FCC rules or Company policies, the Compliance Department, in consultation with Company counsel, will take appropriate disciplinary measures up to and including termination, and referral to the appropriate governmental authorities.

If the Company determines that minutes have been billed improperly to the TRS Fund, the Company will advise the TRS Fund Administrator at the earliest opportunity through the submission of a revised or corrected billing submission.

ADDENDUM 3

SORENSEN AND CAPTIONCALL 2021 STATEMENT OF OPERATING PROCEDURES FOR CPNI

2021 Annual 47 C.F.R. § 64.5109(e) CPNI Certification
for Sorenson Communications, LLC and CaptionCall, LLC

I, Steven Fredley, certify that I am an officer of Sorenson Communications, LLC and its affiliate CaptionCall, LLC (together, “Companies,” individually, “Company”). Specifically, I serve as Chief Compliance Officer & Deputy General Counsel for the Companies. I have personal knowledge that, since the date of each Company’s prior Section 64.5109(e) certification, the Companies had an established Customer Proprietary Network Information (“CPNI”) policy that was adequate to ensure compliance with the Commission’s CPNI rules contained in 47 C.F.R. § 64.5109(e).

Attached to this certification is an accompanying statement explaining how the Companies’ policy has been sufficient to ensure proper treatment of CPNI. Each Company represents and warrants that this statement is consistent with 47 C.F.R. § 1.17, which requires truthful and accurate statements to the Commission. Each Company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed: _____
Steven Fredley
Chief Compliance Officer &
Deputy General Counsel
Sorenson Holdings, LLC

Executed December __, 2021.

Sorenson and CaptionCall 2021 Statement of Operating Procedures for CPNI

Sorenson Communications, LLC and its affiliate CaptionCall, LLC (together, the “Companies,” individually “Company”) submit this compliance statement as required by 47 C.F.R. § 64.5109(e). Since the date of its last Section 64.5109(e) certification, the Companies had in place a Customer Proprietary Network Information Policy (“CPNI Policy”) that was sufficient to ensure compliance with the Commission’s CPNI regulations.

General duty, training, and discipline

The CPNI Policy defines CPNI consistently with 47 C.F.R. § 64.5109, addresses proper handling and use of CPNI, imposes a duty on employees to safeguard CPNI, and provides that violations of the CPNI Policy will subject an employee to disciplinary action, up to and including immediate termination of employment.

The CPNI Policy provides that CPNI shall be available to employees only on a need-to-know basis. During the reporting period, the Company provided a training on its CPNI Policy for employees who have access to CPNI.

Use of customer proprietary network information

The CPNI Policy provides that each Company shall not use, disclose, or permit access to CPNI for marketing purposes except as permitted by 47 C.F.R. § 64.5109.

Safeguards on the disclosure of customer proprietary network information

The Companies have implemented a CPNI Policy designed to protect against attempts to gain unauthorized access to CPNI and authenticates a customer prior to disclosing CPNI.

Neither Company operates retail locations; accordingly, customers have no in-store access to CPNI.

For access to CPNI over the telephone or via telephone relay service, the CPNI Policy requires each Company to authenticate a customer through use of a password that is not prompted by the carrier asking for readily available biographical information or account information. If the customer does not recall his or her password, the CPNI Policy requires each Company to authenticate the customer without using readily available biographical information or account information.

The CPNI Policy allows customers who have lost or forgotten their passwords to retrieve their passwords by their previously provided answer to a secret question, which does not involve the use of readily available biographical information or account information. If a customer cannot provide the correct password or the correct response to the shared secret question, the CPNI Policy requires the customer to be re-authenticated by (i) terminating the current call and calling the customer at the telephone number of record; (ii) having the customer present a valid government-issued identification over a vide call; or (iii) emailing, texting, or pushing a “reset password” link (or other mechanism to require the customer to create a new password) to the customer’s phone, app, email address that has been associated with the account for at least thirty days.

The CPNI Policy requires immediate customer notification whenever a password, customer response to a back-up means of authentication for lost or forgotten passwords, online account, or address of record is created or changed. This notice may not reveal the changed information and is sent to the existing telephone number of record, by mail to the existing physical address of record, or by email to the existing email address of record, and not to any address or number that has been changed.

Notification of customer proprietary information security breaches

Neither Company is aware of any breach of CPNI during the reporting period. The CPNI Policy requires notification of relevant law enforcement agencies and customers in accordance with FCC rules in the event of a breach of CPNI. The CPNI Policy also requires each Company to maintain records of any breaches discovered, notifications made to law enforcement, and notifications made to customers including, where available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach. The CPNI Policy requires each Company to maintain these records for two years.

Any actions against data brokers or customer complaints

Neither Company has taken any actions against data brokers in the preceding year, nor had any customer complaints concerning the unauthorized release of CPNI.

Instances where opt-out mechanisms do not work properly

Neither Company is aware of any instance where CPNI opt-out mechanisms failed to work properly.

EXHIBIT 1

CALL CENTER LIST

[[TO BE INSERTED]]

EXHIBIT 2

ORGANIZATIONAL STRUCTURE

[[TO BE INSERTED]]

EXHIBIT 3

DIRECTORS AND OFFICERS LIST

[[TO BE INSERTED]]

EXHIBIT 4

SPONSORSHIP LIST

[[TO BE INSERTED]]

EXHIBIT 5

UPDATED CALL CENTER TECHNOLOGY

[[TO BE INSERTED]]

EXHIBIT 6

UPDATED CALL CENTER LEASES

[[TO BE INSERTED]]